

**Notice of Allowability**

Application No.

10/750,321

Examiner

Ronald Baum

Applicant(s)

STAMOS ET AL.

Art Unit

2136

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/21/2006.
2. ☒ The allowed claim(s) is/are 13-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

## DETAILED ACTION

### *Examiner's Statement of Reasons for Allowance*

1. Claims 13-28 are allowed over prior art.
2. This action is in reply to applicant's correspondence of 21 April 2006.
3. The following is an examiner's statement of reasons for the indication of allowable claimed subject matter.
4. As per claim 13 generally, prior art of record, Teal et al, U.S. Patent Application Publication US 2003/0120935 A1, fails to teach alone, or in combination, other than via hindsight, at the time of the invention, the features as discussed and remarked upon in the response of 4/21/2006 to office action of 1/18/2006.

Specifically, (as per claim 13, for example) prior art dealing with operating system/OS kernel level events detection (i.e., bulk event down to a granularity level of 'atomic events') and encryption per se of content involved in DRM, whereas the bulk cryptographic encryption aspects are invoked as a function of various OS services and standard functions, (i.e., Reid, Jason F., et al, 'DRM, Trusted Computing and Operating System Architecture', 2005, Information Security Research Centre, Queensland Univer. of Technology, entire document, '<http://crpit.com/confpapers/CRPITV44Reid.pdf>'). Nowhere in the prior art is found collectively the *italicized* claim elements dealing with an embodiment of encryption of assets that is an adaptive (as a function of risk assessment/conditional encryption on a policy basis)/ dynamic (i.e., the 'sensing *atomic level digital asset access events*', 'located *within an operating system kernel* in an *end user client device*', '*aggregating multiple atomic level events*', 'determine a sequence of *digital asset access events [versus non-atomic level events and not the DRM/asset content aspects]*', '*asserting [policy based as a function of digital*

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*asset and associated risk per se] encrypting the digital asset* '); serving to patently distinguish the invention from said prior art;

“13. A process for *controlling access to digital assets in a network* of data processing devices, the process comprising:

*defining a security perimeter* that includes

two or more data processing devices;

*define one or more digital asset encryption policies,*

to be applied to digital assets *when*

*a possible risk in use of a digital asset by an end user occurs;*

*sensing atomic level digital asset access events,*

the sensing step *located within*

*an operating system kernel in an end user client device,*

at a point of authorized access to the digital asset by the end user;

*aggregating multiple atomic level events*

*to determine a sequence of digital asset access events;*

*if the sequence* of digital asset access events *matches*

a predefined digital asset *usage policy that indicates*

*a risk of use of the digital asset*

*outside of the security perimeter;*

*asserting* one of the digital asset encryption policies associated with the sequence of events,

*by encrypting the digital asset,*

*prior to allowing access to the digital asset*

*from outside the perimeter.”.*

5. Dependent claims 14-28 are allowable by virtue of their dependencies.

***Conclusion***

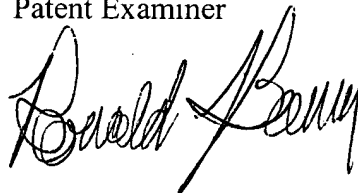
6. Any inquiry concerning this communication or earlier communications from examiner should be directed to Ronald Baum, whose telephone number is (571) 272-3861, and whose unofficial Fax number is (571) 273-3861. The examiner can normally be reached Monday through Thursday from 8:00 AM to 5:30 PM.

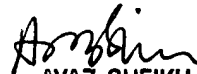
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh, can be reached at (571) 272-3795. The Fax number for the organization where this application is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. For more information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ronald Baum

Patent Examiner



  
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